

**E-Filing**

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17 UNITED STATES DISTRICT COURT  
18  
19 NORTHERN DISTRICT OF CALIFORNIA  
20  
21 SAN FRANCISCO DIVISION

22 RICHARD GREGORY, On Behalf of Himself  
23 and All Others Similarly Situated,

24 Plaintiff,

25 v.

26 CHIRON CORPORATION, HOWARD H.  
27 PIEN, JOHN A. LAMBERT, and DAVID V.  
28 SMITH,

Defendants.

Case No. C-04-4293-VRW

STIPULATION AND ~~PROPOSED~~  
ORDER FOR ONE-WEEK EXTENSION  
TO FILE SUPPLEMENTAL BRIEF

Date: N/A

Time: N/A

Judge: Chief Judge Vaughn R. Walker

1 WHEREAS, on April 14, 2005, the Consolidated Amended Complaint was filed with the  
2 Court;

3 WHEREAS, defendants filed motions to dismiss the Consolidated Amended Complaint on  
4 May 26, 2005, Lead Plaintiff filed oppositions to defendants' motions to dismiss on June 8, 2005,  
5 and defendants filed replies to the motions to dismiss on June 15, 2005;

6 WHEREAS, on June 29, 2005, the Court held a hearing on defendants' motions to dismiss;

7 WHEREAS, at the hearing on the motions to dismiss, the Court ordered Lead Plaintiff to  
8 file a supplemental submission with respect to the motions no later than July 29, 2005;

9 WHEREAS, at the hearing, the Court also ordered defendant Chiron Corporation to submit  
10 a response to Lead Plaintiff's supplemental submission no later than August 12, 2005, but stated  
11 that if Chiron felt it needed additional time to respond to Lead Plaintiff's supplemental submission,  
12 Chiron should request an extension from the Court;

13 WHEREAS, on July 29, 2005, Lead Plaintiff filed a 34-page supplemental brief in further  
14 support of its opposition to defendants' motions to dismiss;

15 WHEREAS, in order to respond adequately to Lead Plaintiff's supplemental brief, Chiron  
16 requires a one-week extension from the current August 12 due date to August 19, 2005, to file its  
17 supplemental submission;

18 WHEREAS, on August 10, 2005, Chiron sought and obtained Lead Plaintiff's consent to a  
19 one-week extension of time to file Chiron's supplemental submission in response to Lead Plaintiff's  
20 supplemental brief;

21 NOW, THEREFORE, the parties stipulate and agree, and the Court hereby orders, as  
22 follows:

23 The due date for Chiron to file its supplemental submission in response to Lead Plaintiff's  
24 supplemental brief shall be extended for one week, from August 12, 2005, to August 19, 2005.

25 ///

26 ///

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1 IT IS SO STIPULATED.

2  
3 DATED: August 11, 2005

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\* \* \*

**ORDER**

Having read and considered the parties' Stipulation and ~~[Proposed]~~ Order For One-Week Extension To File Supplemental Brief,

IT IS SO ORDERED.

DATED: August \_\_, 2005



UNITED STATES DISTRICT COURT JUDGE